

Senate Bill No. 1306

Passed the Senate September 7, 1999

Secretary of the Senate

Passed the Assembly September 1, 1999

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 1999, at _____ o'clock ____M.

Private Secretary of the Governor

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CHAPTER _____

An act to amend Sections 22, 5000, 5015.6, 6710, 6714, 7000.5, 7011, and 8710 of the Business and Professions Code, relating to professional and vocational licensees.

LEGISLATIVE COUNSEL'S DIGEST

SB 1306, Committee on Business and Professions. Professional and vocational licenses: regulatory boards and officers.

Existing law creates in the Department of Consumer Affairs a Board for Professional Engineers and Land Surveyors to administer the Professional Engineers Act and the Professional Land Surveyors' Act, the State Board of Accountancy for the certification and regulation of accountants in this state, and a Contractors' State License Board to administer the Contractors' State License Law, and, in those instances respectively, enacts related regulatory provisions. Existing law provides that these provisions and related administrative provisions shall become inoperative on July 1, 2000, and shall be repealed as of January 1, 2001, except with respect to the State Board of Accountancy, in which case the provisions shall become inoperative July 1, 2001, and shall be repealed as of January 1, 2002.

This bill would delete the relevant years in which those provisions would become inoperative and be repealed, and would extend those dates for a period of one year.

The bill would provide that whenever a regulatory program of a board within the Department of Consumer Affairs is subject to review by the Joint Legislative Sunset Review Committee and is taken over by the department, it shall be designated as a "bureau."

The people of the State of California do enact as follows:

SECTION 1. Section 22 of the Business and Professions Code is amended to read:



22. (a) “Board,” as used in any provision of this code, refers to the board in which the administration of the provision is vested, and unless otherwise expressly provided, shall include “bureau,” “commission,” “committee,” “department,” “division,” “examining committee,” “program,” and “agency.”

(b) Whenever the regulatory program of a board that is subject to review by the Joint Legislative Sunset Review Committee, as provided for in Division 1.2 (commencing with Section 473), is taken over by the department, that program shall be designated as a “bureau.”

SEC. 1.5. Section 5000 of the Business and Professions Code is amended to read:

5000. There is in the Department of Consumer Affairs the State Board of Accountancy, which consists of 10 members, five of whom shall be certified public accountants, one of whom shall be a public accountant, and four of whom shall be public members who shall not be licentiates of the board or registered by the board. The board has the powers and duties conferred by this chapter.

The Governor shall appoint two of the public members, the five certified public accountant members, and the public accountant member qualified as provided in this section. The Senate Rules Committee and the Speaker of the Assembly shall each appoint a public member. In appointing the five certified public accountant members, the Governor shall appoint members representing a cross section of the accounting profession with at least one member representing a small public accounting firm. For the purposes of this chapter, a small public accounting firm shall be defined as a professional firm that employs a total of no more than four certified public accountants as partners, owners, or full-time employees in the practice of public accountancy within the State of California.

This section shall become operative on July 1, 1997, and shall become inoperative on July 1, 2002, and as of January 1, 2003, is repealed, unless a later enacted statute, that becomes effective on or before January 1, 2003, deletes or

extends the dates on which this section becomes inoperative and is repealed. The repeal of this section renders the board subject to the review required by Division 1.2 (commencing with Section 473).

SEC. 2. Section 5015.6 of the Business and Professions Code is amended to read:

5015.6. The board may appoint a person exempt from civil service who shall be designated as an executive officer and who shall exercise the powers and perform the duties delegated by the board and vested in him or her by this chapter.

This section shall become inoperative on July 1, 2002, and, as of January 1, 2003, is repealed, unless a later enacted statute, which becomes effective on or before January 1, 2003, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 3. Section 6710 of the Business and Professions Code is amended to read:

6710. (a) There is in the Department of Consumer Affairs a Board for Professional Engineers and Land Surveyors, which consists of 13 members.

(b) Any reference in any law or regulation to the Board of Registration for Professional Engineers and Land Surveyors is deemed to refer to the Board for Professional Engineers and Land Surveyors.

(c) This section shall become inoperative on July 1, 2001, and, as of January 1, 2002, is repealed, unless a later enacted statute, that becomes effective on or before January 1, 2002, deletes or extends the dates on which it becomes inoperative and is repealed. The repeal of this section renders the board subject to the review required by Division 1.2 (commencing with Section 473). However, the review of the board shall be limited to only those unresolved issues identified by the Joint Legislative Sunset Review Committee.

SEC. 4. Section 6714 of the Business and Professions Code is amended to read:

6714. The board shall appoint an executive officer at a salary to be fixed and determined by the board with the approval of the Director of Finance.



This section shall become inoperative on July 1, 2001, and, as of January 1, 2002, is repealed, unless a later enacted statute, that becomes effective on or before January 1, 2002, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 5. Section 7000.5 of the Business and Professions Code is amended to read:

7000.5. (a) There is in the Department of Consumer Affairs a Contractors' State License Board, which consists of 13 members.

(b) The repeal of this section renders the board subject to the review required by Division 1.2 (commencing with Section 473). However, the review of this board by the department shall be limited to only those unresolved issues identified by the Joint Legislative Sunset Review Committee.

(c) This section shall become inoperative on July 1, 2001, and, as of January 1, 2002, is repealed, unless a later enacted statute, which becomes effective on or before January 1, 2002, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 6. Section 7011 of the Business and Professions Code is amended to read:

7011. The board by and with the approval of the director shall appoint a registrar of contractors and fix his or her compensation.

The registrar shall be the executive officer and secretary of the board and shall carry out all of the administrative duties as provided in this chapter and as delegated to him or her by the board.

For the purpose of administration of this chapter, there may be appointed a deputy registrar, a chief reviewing and hearing officer and, subject to Section 159.5, other assistants and subordinates as may be necessary.

Appointments shall be made in accordance with the provisions of civil service laws.

This section shall become inoperative on July 1, 2001, and, as of January 1, 2002, is repealed, unless a later enacted statute, which becomes effective on or before

January 1, 2002, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 7. Section 8710 of the Business and Professions Code is amended to read:

8710. The Board for Professional Engineers and Land Surveyors is vested with power to administer the provisions and requirements of this chapter, and may make and enforce rules and regulations that are reasonably necessary to carry out its provisions.

This section shall become inoperative on July 1, 2001, and, as of January 1, 2002, is repealed, unless a later enacted statute, which becomes effective on or before January 1, 2002, deletes or extends the dates on which it becomes inoperative and is repealed. The repeal of this section shall render the board subject to the review required by Division 1.2 (commencing with Section 473). However, the review of this board shall be limited to only those unresolved issues identified by the Joint Legislative Sunset Review Committee.



Approved _____, 1999

Governor

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